

This response amends currently pending Claims 1, 5, and 6. Upon amendment, the application will have two independent claims (amended Claims 1 and 6) and a total of twenty claims (amended Claim 1, currently pending Claims 2-4, amended Claims 5 and 6, and currently pending Claims 7-20). Therefore, no fees for excess claims are due.

Support for amending currently pending Claims 1 and 6 can be found in, inter alia, the originally filed versions of Claims 1 and 6, respectively. Support for amending currently pending Claim 5 can be found in, inter alia, Examples 3 and 4 on page 40 of the description because Examples 3 and 4 disclose that the support may be functionalized before the metallocene is added.

In item 2 of the outstanding Office Action, the Examiner objects to currently pending Claims 1-8, 10, 11, and 13-20 because currently pending Claims 1 and 6 state that "M has a valence." This objection should be withdrawn because amended Claims 1 and 6 do not state that "M has a valence."

In item 3 of the outstanding Office Action, the Examiner objects to line 27 on page 36 of the specification because the scissors character should be the Greek letter alpha. This response amends page 36 of the specification to correct this obvious typographical error; and, therefore, the objection set forth in item 3 should be withdrawn.

In items 4 and 5 of the outstanding Office Action, the Examiner rejects currently pending Claims 1-8, 10, 11, and 13-20 because currently pending Claims 1 and 6 use the phrase "obtainable by." The Applicants respectfully traverse this rejection because currently pending Claims 1 and 6 are believed to be definite under

35 U.S.C. § 112, second paragraph. Nevertheless, this response amends currently pending Claims 1 and 6 to change "obtainable by" to "obtained by." Therefore, the rejection set forth in items 4 and 5 of the outstanding Office Action should be withdrawn.

In item 6 of the outstanding Office Action, the Examiner rejects currently Claims 6-8, 14, 16, 17, 19, and 20 for being allegedly indefinite because these claims call for a heterogeneous catalytic component or heterogeneous catalytic system. The Applicants respectfully traverse this rejection for the reasons set forth below.

The catalytic component claimed in amended Claim 6 (and in currently pending Claims 7, 14, 16, 18, and 19, which are dependent on amended Claim 6) is a solid product that does not have to be supported on a solid support; and, thus, the claimed catalytic component is a heterogeneous catalytic component. In amended Claim 6 (and in currently pending Claims 7, 14, 16, 18, and 19), the catalytic component is prepared by reacting an alumoxane or a trialkylaluminum with a metallocene compound defined by formula I, II, or III; and Examples 5 and 6 on page 41 of the specification indicate that a catalytic component prepared in accordance with amended Claim 6 is a solid product.

Consequently, the catalytic component claimed in amended Claim 6 (and in currently pending Claims 7, 14, 16, 18, and 19) is a heterogeneous catalytic component. In addition, the catalytic system claimed in currently pending Claims 8 and 18 (which are dependent on amended Claim 6) is a heterogeneous catalytic system because the claimed catalytic system includes a heterogeneous catalytic component.

For the foregoing reasons, the catalytic component claimed in

amended Claim 6 and in currently pending Claims 7, 14, 16, 18, and 19 is a heterogeneous catalytic component; and the catalytic system claimed in currently pending Claims 8 and 18 is a heterogeneous catalytic system. Therefore, the rejection set forth in item 6 of the outstanding Office Action should be withdrawn.

In item 7 of the outstanding Office Action, the Examiner rejects currently pending Claims 5-7, 14, 16, and 19 under 35 U.S.C. § 112, second paragraph, because these claims allegedly fail to specify whether there is prior treatment of the inorganic support. The Applicants respectfully traverse this rejection for the reasons set forth below.

The rejection in item 7 of the outstanding Office Action is improperly applied to currently pending Claims 6, 7, 14, 16, and 19 because these currently pending claims do not even claim a support. Furthermore, this response amends currently pending Claim 5 to specify that the inorganic support is previously treated with alumoxane or trialkylaluminum. Therefore, the Examiner should withdraw the rejection set forth in item 7 of the outstanding official action.

In item 9 of the outstanding Office Action, the Examiner rejects currently pending Claims 1-4, 6, 7, 10, 11, 13-16, 18, and 19 for allegedly being obvious over Vega et al.'s European Patent Document No. EP-0757992. In item 10 of the outstanding Office Action, the Examiner rejects currently pending Claims 1-8, 10, 11, and 13-20 for allegedly being obvious over Hidalgo Llinas et al.'s European Patent Document No. EP-0802203. And in item 11 of the outstanding Office Action, the Examiner rejects currently pending Claims 6 and 14 for allegedly being obvious over Canich's U.S.

Patent No. 5,955,625. The Applicants respectfully traverse these rejections because amended Claim 1, currently pending Claims 2-4, amended Claims 5 and 6, and currently pending Claims 7, 8, 10, 11, and 13-20 are not taught or suggested by the prior art.

If amended Claims 1 and 6 are ultimately found to be allowable, then the Examiner should consider currently pending nonelected Claims 9 and 12 on the merits because currently pending Claims 9 and 12 are dependent on an allowable elected claim (amended Claim 1 or 6).

It is submitted that the application is in condition for allowance. Allowance of the application at an early date is solicited.

The Applicants submitted an Information Disclosure Statement (IDS) on February 10, 2000, but the Examiner has not yet acknowledged considering this IDS. Therefore, the Examiner is respectfully requested to consider the February 10, 2000 IDS on the merits before issuing the next Office Action.

This response amends currently pending Claims 1, 5, and 6. The amendments described in the preceding sentence were done to claim the scope of the invention that the Applicants elect to claim and were not done to overcome the prior art and were not done to overcome objections or to overcome rejections under 35 U.S.C. § 112. The amendments described in the first sentence of this paragraph shall not be considered necessary to overcome the prior art and shall not be considered necessary to overcome objections or to overcome rejections under 35 U.S.C. § 112.

The Commissioner is authorized to charge any additional fees which

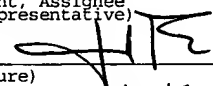
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may be required or credit overpayment to Deposit Account No. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 C.F.R § 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed; and the petition fee due in connection therewith may be charged to Deposit Account No. 12-0415.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C., 20231 on

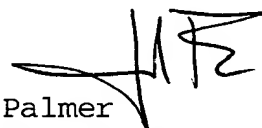
May 17, 2001
(Date of Deposit)

JOHN PALMER
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5-17-01
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Respectfully submitted,


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